

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTOPHER O'NEILL,)	3:12-cv-00030-LRH (WGC)
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
DR. ROBERT BANNISTER, et. al.)	
)	
Defendants.)	
)	

Before the court is Plaintiff's Motion for Access to Legal Assistance. (Doc. # 27.)¹ Defendants have opposed. (Doc. # 29.)

Plaintiff seeks ongoing access to inmate Mark Miller for legal assistance in this action. (Doc. # 27.) Plaintiff asserts that he has been preparing and filing documents in this case with the assistance of Miller, who he describes as an experienced "jailhouse lawyer." (*Id.*) Plaintiff seeks this order because he anticipates he is going to be transferred out of the same unit as Miller and will no longer be able to communicate with him. (*Id.*)

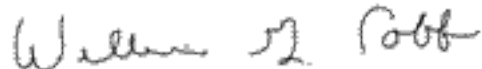
What Plaintiff is actually requesting is a form of injunctive relief. Although the Ninth Circuit has not addressed the issue directly, other circuits have repeatedly held that a plaintiff seeking injunctive relief must show "[a] relationship between the injury claimed in the party's motion and the conduct asserted in the complaint." *Devose v. Herrington*, 42 F.3d 470, 471 (8th Cir. 1994); accord *Little v. Jones*, 607 F.3d 1245, 1250-51 (10th Cir. 2010); *Colvin v. Caruso*, 605 F.3d 282, 299-300 (6th Cir. 2010); *Omega World Travel, Inc. v. Trans World Airlines*, 111 F.3d 14, 16 (4th Cir. 1997).

¹ Refers to court's docket number.

1 This action relates to Plaintiff's claims that Defendants were deliberately indifferent to
2 his serious medical need in connection with the treatment of his hepatitis C. If Plaintiff has a
3 claim related to his ability to communicate with his inmate legal assistant, he should address
4 it first through Nevada Department of Corrections' internal grievance system, and if it cannot
5 be resolved through those channels, by filing a separate action related to obtaining legal
6 assistance from another inmate.

7 Therefore, Plaintiff's Motion for Access to Legal Assistance (Doc. # 27) is **DENIED**.

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9 DATED: August 29, 2012.

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11 WILLIAM G. COBB
12 UNITED STATES MAGISTRATE JUDGE
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